

Plaintiff, Elizabeth McCray, filed the instant action on January 30, 2008, on behalf of both her and her daughter (a minor), making numerous allegations against many defendants. Plaintiff appears to be alleging that her daughter was unfairly accused of being a drug dealer by three of her classmates and as a result, was harassed and unfairly disciplined by school officials. Plaintiff also appears to be alleging that her daughter was falsely arrested on a drug charge by the St. Charles Sheriff Department and unlawfully held at a juvenile facility.

On February 13, 2008, the Court ordered plaintiff to amend her complaint for a variety of reasons, most saliently because plaintiff had not complied with both this Court's Local Rules and/or the Federal Rules of Civil Procedure in her filings. Rather, plaintiff's original complaint consisted of at least five separate complaint forms, naming approximately seventeen (17) defendants, along with more than fifty (50) pages of exhibits. Additionally, many of the documents presented to the Court by plaintiff, including the complaint forms, contained names of minor children that had not been redacted. Thus, the Court directed plaintiff to this Court's Local Rules and the Federal Rules of Civil Procedure and ordered plaintiff to file an amended complaint, organized in a comprehensible manner. Specifically, the Court noted that pursuant to Federal Rules of Civil Procedure 8 and 10, plaintiff's amended complaint should contain a "short and plain statement of claims," with each claim written in a manner that was "simple, concise and direct." Plaintiff was also counseled to include in the "Caption" of the amended complaint all of the defendants she wished to sue, and in the "Statement of Claim," plaintiff was instructed to set forth specific facts against each named defendant. Moreover, plaintiff was reminded that if her filings contained references to minor children, she had to comply with both the Court's April 8,

2003 Administrative Order, as well as the Federal Rules of Civil Procedure and this Court's Local Rules regarding redaction of personal data identifiers.

On February 26, 2008, plaintiff filed a letter, addressed to the Clerk of the Court, which she entitled "amended complaint." In direct contravention of this Court's directions and the Federal Rules of Civil Procedure, plaintiff's amended complaint contains neither a caption nor a concise listing of the named defendants in this action. Nor can plaintiff's "amended complaint" be said to contain a "concise and plain statement of her claims" or even a reference to the relief plaintiff seeks, thus the pleading fails to comply with Federal Rules of Civil Procedure 8 and 10. Moreover, plaintiff has failed to sign the "amended complaint" in violation of Federal Rule of Civil Procedure 11. Lastly, despite being directed to the Local Rules and the Administrative Orders contained on this Court's website, plaintiff has failed to comply with the rules requiring redaction of personal data identifiers. Although the rules dictate that minors should be identified by their initials, plaintiff identifies several minors in her pleading by the numbers "1," "2," and "3." And she has failed to provide the Court with either an unredacted copy of her pleading, or a reference sheet containing a key to the redacted personal identifiers, which could be filed under seal. See Local Rule 5-2.17.

Under Federal Rule of Civil Procedure 41(b), the Court may dismiss an action if the plaintiff fails to comply with an Order of the Court. Plaintiff failed to comply with the Court's Order dated February 13, 2008. As a result, the Court will dismiss this action, without prejudice.


Accordingly,

IT IS HEREBY ORDERED that plaintiff's amended complaint is **DISMISSED** for failure to comply with this Court's February 13, 2008 Order.

IT IS FURTHER ORDERED that all pending motions are **DENIED AS MOOT**.

A separate Order of Dismissal will accompany this Memorandum and Order.

Dated this 7th day of March, 2008.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE